

PROB 12B
(PAWP 4/16)

UNITED STATES DISTRICT COURT
for the
WESTERN DISTRICT OF PENNSYLVANIA

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

Offender:	Scott Tyree	Docket No.: 2:02CR00019
Sentencing Judge:	William L. Standish, Senior United States District Judge	
Current Judge:	Nora Barry Fischer, Senior United States District Judge	
Date of Original Sentence:	September 26, 2003	
Original Offense:	Travel with Intent to Engage in a Sexual Act with a Juvenile, 18 U.S.C. § 2423(b) Sexual Exploitation of a Minor, 18 U.S.C. § 2251(a)	
Original Sentence:	235 months of imprisonment; 36 months of supervised release	
Special conditions:	Substance Abuse Testing, Financial Disclosure, Mental Health Treatment, Sex Offender Treatment, No New Debt/Credit, Sex Offender Registration, Special Assessment, Restitution - Money, No Contact with Minors, Computer/Internet Restrictions, Forfeiture, Financial Address Change to AUSA, Drug Treatment, Polygraph Examination, No Possession of Child Pornographic Materials, No Possession of Pornographic Materials, Reentry Center-Full-Time, Place Restriction Under 18 Present, Search/Seizure, No Contact with Victim, Computer Monitoring Software, Computer Search, Computer Search Warning to Others, Computer Search for Monitoring Software, No Internet Access, No Internet Access Without Permission	
Type of Supervision:	Supervised Release	Date Supervision Commenced: March 23, 2021
Prior Court History:	Date of Revocation: October 2, 2019	
Revocation Sentence:	24 Months of Bureau of Prisons; 12 Months of Supervised Release	

PETITIONING THE COURT

The offender has not complied with the following condition(s) of supervision:

Standard Condition #2: After initially reporting to the probation office, you will receive instructions from the Court or probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.

Special Condition #6: The defendant must participate in a sex offense-specific treatment program and follow the rules and regulations of that program. The probation office will supervise your participation in the program (provider, location, modality, duration, intensity, etc.) which could include an evaluation and completion of recommended treatment. The Probation Office is authorized to release the defendant's presentence report to the treatment provider is so requested.

Special Condition #24: The defendant shall provide the U.S. Probation Office with accurate information about the defendant's entire computer system (hardware or software) and other electronic communication or data storage devices or media to include all passwords used and the name of the Internet Service Provider(s).

- ☐ To extend the term of supervision for years, for a total term of years.
☒ To modify the conditions of supervision as follows:

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The defendant shall be placed on home detention until his term of supervised release expires on March 22, 2022, to commence as soon as arrangements can be made by the Probation Office. The defendant shall abide by all technology requirements. The location monitoring technology requirement, i.e., Radio Frequency (RF), Global Positioning System (GPS), or Voice Recognition, or Virtual Supervision Monitoring, at the discretion of the probation officer. During the period of home detention, the defendant shall remain at his residence except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities as pre-approved by the probation officer. During this time, the defendant shall comply with the rules of the location monitoring program and may be required to maintain a landline telephone, without special features, at the defendant's place of residence. The defendant shall pay all or part of the costs of participation in the location monitoring program as directed by the court and probation officer, but not to exceed the daily contractual rate.

The defendant shall not purchase, possess, or use a computer, a cell phone with internet access, or other electronic devices capable of storing, recording or replaying electronic media or data files, at any location, including his place of employment or education. Furthermore, the defendant shall not access any internet service provider, bulletin board system or any other public or private computer network or service at any location. The defendant shall consent to periodic inspection by the probation or pretrial services officer of any cell phone possessed by the defendant to ensure compliance with this condition. The defendant also shall abide by the provisions of the Computer Restrictions and Monitoring Program approved by the Court.

CAUSE


Mr. Tyree is currently being supervised by the Probation Office for the Middle District of Pennsylvania. On September 22, 2021, a review of his computer and internet activity revealed that Mr. Tyree had established various social media accounts, including accounts on Kik, Twitter, TikTok, Discord, and Instagram. He did not inform the probation officer of these online accounts. Additionally, he did not disclose these accounts to the probation officer on the Supervision Report for Persons Charged with or Convicted of Sex Offenses (Probation Form 25). The review of his internet activity also revealed that he had been communicating with several women that he met online. One exchange included a conversation wherein Mr. Tyree and the woman discussed establishing a master/slave relationship, and Mr. Tyree described in graphic detail actions he would like to engage in with her. They also exchanged graphic sexual photos.


Furthermore, on October 5, 2021, the defendant was unsuccessfully discharged from sex offender treatment as a result of his refusal to address relevant issues, dishonesty regarding sexual deviant behavior, and continued reliance on factors associated with the cycle of abuse.

This matter has been reviewed with Assistant United States Attorney, David Lew, who offered no objection to this recommended course of action. Additionally, the defendant signed the attached Waiver of Hearing to Modify Conditions of Supervised Release, agreeing to the modification as noted above.

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully Submitted,


By: _____ Michael C Howard
U.S. Probation Officer Specialist
2021.10.12 11:55:03
-04'00'



Approved By: _____ Cristina Figueroa
Assistant Deputy Chief U.S. Probation Officer
2021.10.12 11:53:53 -04'00'

Date: _____ 10/12/2021

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THE COURT ORDERS:

- ☐ No Action
- ☐ The extension of supervision as noted above.
- ☒ The Modification of conditions as noted above
- ☐ Other



Nora Barry Fischer, Senior United States District Judge

WOLVILLE, ROBERT

10/12/2021

Date